

Serial No. 10/606,864

Attorney Docket No. 26B-018

REMARKS

Claims 2-11, 13 and 14 are pending. Claims 1 and 12 have been canceled. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

Claims 2-11, 13, and 14 were rejected under 35 USC 103(a) as being unpatentable over Randall et al. in view of the Japanese published application of Hino et al. The applicants respectfully request that this rejection be withdrawn for the following reasons.

The claims have been amended to recite a heat-resistant crystalline biodegradable resin composition. PTFE (Polytetrafluoroethylene) is added to the composition of the present invention to improve heat resistance. There is no disclosure or suggestion in either Randall et al. or Hino et al. that the composition being produced is heat-resistant. Therefore, the applicants request that this rejection be withdrawn.

Furthermore, it would not have been obvious to one of ordinary skill in the art to have combined Randall et al. and Hino et al. Note that the primary component of the composition of Hino et al. is starch, which is well known to be a very weak material. The purpose of the Randall et al. patent is to provide a high impact resistant polymer composition. Therefore, one of ordinary skill in the art would not look to a primarily starch-based composition for a teaching when the goal is high impact resistance. Therefore, this rejection should be withdrawn.

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Furthermore, the purpose of PTFE in Hino et al. is to improve stability, to improve foaming, and to lower the hygroscopicity. These are needs that arise as a result of working with starch as a primary material. These needs do not occur in Randall et al., because starch is not a component of the material of Randall et al. Thus, there is no reason or suggestion to have made the combination of Hino et al. and Randall et al.

In addition, foaming is inconsistent with the high-impact resistance of the material of Randall et al. Foaming would only serve to weaken the material. Therefore, one of ordinary skill in the art would not find it obvious to add PTFE in view of Hino et al. based on the information provided by Hino et al. The points above indicate that the art combination of Hino et al. and Randall et al. is a hindsight combination, and this rejection should be withdrawn.

In view of the foregoing, the applicants respectfully submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,


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